

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Alexandra Briyana Brice,	)	
	)	
Plaintiff,	)	<b>ORDER ADOPTING REPORT</b>
	)	<b>AND RECOMMENDATION</b>
vs.	)	
	)	
Bethany Retirement Living,	)	Case No. 1:24-cv-033
	)	
Defendant.	)	
	)	

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Before the Court is a motion to dismiss pursuant to Federal Rules of Civil Procedure 12(b)(5), 4(m), 12(b)(6), and for failure to name a legal entity capable of being sued, filed by the Defendant on November 15, 2024. See Doc. Nos 15 and 16. Magistrate Judge Clare R. Hochhalter issued a Report and Recommendation, in which he recommended that Defendant's motion to dismiss be granted on the basis of failure to state a claim under Federal Rules of Civil Procedure 12(b)(6). See Doc. No. 29. The parties were given until April 10, 2025, to file an objection. Id. The Plaintiff filed an objection on April 10, 2025; however, it was comprised of no legal or statutory authority, nor did it contain argument relevant to the Report and Recommendation. See Doc. No. 33.

The Court has carefully reviewed the Report and Recommendation and the entire record and finds the Report and Recommendation to be persuasive. Accordingly, the Court **ADOPTS** the Report and Recommendation (Doc. No. 29) in its entirety and **ORDERS** Defendant's motion to dismiss (Doc. No. 15) be **GRANTED**.

**IT IS SO ORDERED.**

Dated this 17th day of April, 2025.

/s/ Daniel L. Hovland

Daniel L. Hovland, District Judge  
United States District Court